

REMARKS

Applicants request reconsideration and allowance in view of the foregoing remarks. Claims 1-3, 6-12, 14, 15, 30-35, and 38-54 are pending, with claims 1, 44, and 52-54 being independent. Claims 44-51 have been withdrawn from consideration. Support for the amendments and new claims may be found in the application at, for example, page 8, lines 1-8, page 11, lines 20-23, page 11, line 27 through page 12, line 8, and page 12, line 14 through page 13, line 11. No new matter has been added.

Interview Summary

Applicants wish to thank Examiner Poltorak for the courtesy extended to Applicants' representatives during the personal interview on April 10, 2007. During the interview, the Examiner indicated that functionality related to the subject matter of amended claim 1 and new claims 52-54 was not disclosed by any of the relied-upon references. This reply reflects the substance of the interview.

Claim Objections

Claims 6 and 7 were objected to as depending from a cancelled claim. Claim 6 has been amended to depend from claim 1 and claim 7 depends from claim 6. Applicants submit that the amendment to claim 6 addresses all of the Examiner's concerns. Therefore, reconsideration and withdrawal of the objection is respectfully requested.

Cotten in view of Bauer and Kim Rejection

Claims 1-3, 6-12, 14, 15, 30-35, 38-40, and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,590 ("Cotten") in view of U.S. Patent Application Publication No. 2004/0181462 ("Bauer") and U.S. Patent No. 6,701,440 ("Kim"). Applicants respectfully request reconsideration and withdrawal of this rejection because neither Cotten, Bauer, Kim, nor any proper combination of the references, describes or suggests all of the features of amended independent claim 1, as described below.

As amended, independent claim 1 recites, inter alia, if a first security condition associated with an electronic mail message reflects an indeterminate state, monitoring the electronic mail message by transmitting the electronic mail message based on an address of the electronic mail message, tracking a location of the transmitted electronic mail message, and reprocessing the transmitted electronic mail message based on a second security condition obtained by recategorizing the first security condition based on updated stored data to indicate characteristics of at least one other electronic mail message inspected subsequent to transmitting the electronic mail message. Reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state.

Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 1 because neither Cotten, Bauer, Kim, nor any proper combination of the references, describes or suggests reprocessing a transmitted electronic mail message based on a second security condition obtained by recategorizing a first security condition of the transmitted electronic mail message based on updated stored data to indicate characteristics of at least one other electronic mail message inspected subsequent to transmitting the electronic mail message, wherein reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state, as recited in amended independent claim 1.

Specifically, the Office Action recognizes that neither Cotten, Bauer, nor a combination of the two, describes "tracking messages and updating the stored data to indicate characteristics of the at least one other message that has been inspected and reprocessing the messages based on the security condition." See Office Action of January 11, 2007 at page 4. The Office Action relies on Kim for these features. See id.

However, Kim does not remedy the failure of Cotten and Bauer to describe or suggest reprocessing a transmitted electronic mail message based on a second security condition obtained by recategorizing a first security condition of the transmitted electronic mail message based on updated stored data to indicate characteristics of at least one other electronic mail message

inspected subsequent to transmitting the electronic mail message, wherein reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state, as recited in amended independent claim 1.

In particular, Kim is directed to a system configured to perform virus scanning, sniffing, or detecting of e-mail viruses and handling of e-mails detected to include viruses. See Kim at Abstract. More particularly, the system of Kim includes an e-mail server configured to scan incoming e-mail messages to detect whether the incoming e-mail messages include a virus and a quarantine server configured to handle e-mail messages detected to include viruses. See Kim at col. 5, lines 30-41. If the e-mail server detects that an incoming e-mail is infected with a virus, the e-mail server forwards the infected e-mail to the quarantine server for processing instead of forwarding the e-mail for delivery. See Kim at col. 5, lines 35-38. The quarantine server receives the infected e-mail, attempts to clean the infected e-mail, and, if successful, forwards the cleaned e-mail for delivery. See Kim at col. 5, lines 38-41. If the quarantine server is unable to clean the incoming e-mail detected to be infected with a virus, the quarantine server may hold the infected e-mail and attempt to clean the infected e-mail again when virus protection software used by the quarantine server has been updated. See Kim at col. 7, lines 38-61. As such, the system of Kim detects incoming e-mails that are infected with viruses, and thus, known to be malicious, and makes multiple attempts to clean the e-mails detected to be infected prior to forwarding the e-mails for delivery.

Thus, the system of Kim does not reprocess a transmitted electronic mail message based on a second security condition obtained by recategorizing a first security condition for the transmitted electronic mail message, much less delete the transmitted electronic mail message if the second security condition reflects an unacceptable state. Accordingly, Kim fails to describe or suggest reprocessing a transmitted electronic mail message based on a second security condition obtained by recategorizing a first security condition of the transmitted electronic mail message based on updated stored data to indicate characteristics of at least one other electronic mail message inspected subsequent to transmitting the electronic mail message, wherein

reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state, as recited in amended independent claim 1.

Because Cotten, Bauer, and Kim each fail to describe or suggest reprocessing a transmitted electronic mail message based on a second security condition obtained by recategorizing a first security condition of the transmitted electronic mail message based on updated stored data to indicate characteristics of at least one other electronic mail message inspected subsequent to transmitting the electronic mail message, wherein reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state, their combination also fails to describe or suggest at least this feature.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of independent claim 1 and its dependent claims 2, 3, 6-12, 14, 15, 30-35, 38-40, and 43 and submits that those claims are in condition for allowance.

Claims 41 and 42, which depend from claim 1, have been rejected under 35 U.S.C. § 103 as being unpatentable over Cotten in view of Bauer and Kim in further view of Joyce (U.S. Patent No. 6,519,703). Applicants respectfully request reconsideration and withdrawal of these rejections at least because Cotten, Bauer, and Kim fail to describe or suggest the features of claim 1, and Joyce fails to remedy the deficiencies of those references discussed above.

New claims 52-54 each recite, inter alia, transmitting a first electronic mail message to an intended recipient to enable access of the first electronic mail message by the intended recipient, tracking the location of the transmitted first electronic mail message, determining that the transmitted first electronic mail message is now unacceptable, accessing the tracked location of the transmitted first electronic mail message, and enabling deletion of the transmitted first electronic mail message based on the tracked location of the transmitted first electronic mail message.

As described above, Cotten, Bauer, or Kim, alone or in the proposed combination, do not describe or suggest reprocessing a transmitted electronic mail message based on a second

security condition obtained by recategorizing a first security condition of the transmitted electronic mail message based on updated stored data to indicate characteristics of at least one other electronic mail message inspected subsequent to transmitting the electronic mail message, wherein reprocessing the transmitted electronic mail message includes deleting the transmitted electronic mail message if the second security condition reflects an unacceptable state.

Therefore, Cotten, Bauer, or Kim, alone or in the proposed combination, also do not describe or suggest determining that a transmitted first electronic mail message is now unacceptable and enabling deletion of the transmitted first electronic mail message based on a tracked location of the transmitted first electronic mail message, as recited in new claims 52-54.

Therefore, Applicants submit that new independent claims 52-54 are allowable for at least the above reasons.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicants reserve the right to prosecute the rejected claims in further prosecution of this or related applications.

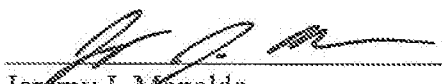
Applicant : Lorin Sutton et al.
Serial No. : 10/059,147
Filed : January 31, 2002
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Attorney's Docket No.: 06975-211001 / Network 09

Applicants submit that all claims are in condition for allowance. The fee in the amount of \$600.00 in payment of the excess claims fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 4/11/07



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